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CIVIL SOCIETY AND BLASPHEMY LAWS FOLLOWING THE ARAB UPRISINGS:
CASES FROM EGYPT AND TUNISIA

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Abstract

This study seeks to determine the contribution that civil society institutions make in democracy promotion. Due to the malleable nature of civil society, it can be a tool utilized by undemocratic governments to ensure the continuity of the status quo or by progressive elements in society as a catalyst for democratic consolidation. The autonomy and prevalence of civil society institutions are the determining factors of a healthy civil society. Prevalence of civil society institutions is defined as the number of civil society organizations in a country and autonomy is defined as the independence civil society has from the government. When there are high levels of autonomy and prevalence of civil society institutions then one should expect to see higher levels of democratic consolidation and greater blasphemy protections. The results of this study demonstrate that healthy civil societies facilitate blasphemy protections. This study will analyze relevant literature on the interplay between civil society institutions and democracy promotion. Case studies will be taken from two countries: Egypt and Tunisia. The nature of civil society and of democracy in these three will be evaluated. This study expects to show a positive relationship between the health of civil society and the amount of democratic consolidation within a country.

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Preface

This thesis is designed to provide an analysis of the relationship between civil society and blasphemy protections. It attempts to demonstrate the influence and strength of civil society in Egypt and Tunisia on blasphemy legislation in their respective countries following the uprisings in 2011. This thesis is divided into three sections and further into four chapters.

The first section, which covers chapter 1, is the introductory section and it provides an overview of the thesis. The second section of the thesis, which is chapters 2 and 3, is the empirical section and it gives details on the two cases. The last section, which is chapter 4, is the conclusion section which reiterates the argument and findings of this study.

Chapter 1 provides an overview of the thesis through a literature review, methodology, and summary of findings. It is in this chapter that one will find the information pertaining to the main arguments of this thesis. Chapter 2 is the first empirical chapter which discusses civil society in Tunisia and its effects on the blasphemy legislation in that country. Chapter 3 discusses the effects of civil society in Egypt on blasphemy legislation in that country. Chapter 4 is the conclusion section and it briefly discusses all of the cases in addition to conveying the theoretical and empirical contributions of this thesis.

Chapter 1-Introduction

This study seeks to determine the conditions under which civil society facilitates blasphemy protections. While there are large differences among countries that have blasphemy protections, this study aims to find what variables matter among all cases of countries developing such protections. In essence, this study will analyze the aspects of a nascent democracy that allow it to develop protections for freedom of expression. Generally, scholars agree that civil society maintains a significant role in the development of civil liberties domestically but there lacks a consensus on the importance of civil society organizations (CSOs) and under what conditions civil society can play a constructive role in this development. The lack of scholarly consensus on this topic informs the importance of this thesis.

Aiming to validate that a healthy civil society is the determining factor in developing blasphemy protections, this study employs a mixture of scholarship considering civil society and blasphemy that are classic and modern. Foundational writers such as Karl Marx and Alexis DeToqueville provide ample information about civil society and its role, and writers such as Maha Abdelrahman and Luz Paula Parra-Rosales provide an updated perspective on civil society and freedom of expression theory. To evaluate the effectiveness of civil society in the development of blasphemy protections, this study takes cases from Egypt and Tunisia. The two countries have recently undergone democratic transitions and have varying levels of civil society participation. This variation has led to different protections for blasphemy in the years following the transition. Countries are evaluated on the number of registered CSOs and the level of autonomy from the government. The number of and autonomy of CSOs in these two states will be compared with the nature of the democracy in the countries and the current legal framework

concerning blasphemy in order to evaluate the effectiveness civil society has had since the democratic transition. This paper's claim is that civil society will facilitate blasphemy protections if there are high levels of autonomy from the government, and a large number of these organizations in a given state. These two determining factors of a healthy civil society will be evaluated based on its ability to influence the democratic transition.

Literature Review

Blasphemy laws are a subset of larger discussions in the human rights community, however the history of these laws is less known. Furthermore, the European origins of these laws is not necessarily present in the current discussion surrounding blasphemy. While the larger scope of this project will be to examine the influence of NGOs on blasphemy laws, this piece serves to provide a short discussion on the definition and manifestation of blasphemy and blasphemy laws.

Generally, blasphemy can be defined as "any offensive expression concerning God or the gods, other sacred persons or objects, religious doctrines or ideas, scriptures or liturgies, institutions or practices" (Lawton, 1990, p. 8). Legally, Neil Hicks (2015) writes in The Public Disorder of Blasphemy Laws: A Comparative Perspective that blasphemy laws are laws that "prohibit injuring religious feelings or insulting religious figures, or, more broadly, the sacred, by words or actions" (p. 51). Currently blasphemy laws exist in a few Latin American countries including Brazil, Africa (mostly Northern Africa), the Middle East, South Asia, and Europe.

What will be relevant in this thesis is separating the existence of blasphemy laws from their enforcement. For example, Hicks (2015) notes that there are currently 57 states that have blasphemy laws either in their constitutions, penal codes, press laws, or other sources of legislation (p. 51). The example used to display the diverse background of states with blasphemy

laws are Saudi Arabia and Finland. While in many ways Saudi Arabia has been a chronic

violator of religious freedom, a liberal country such as Finland contains laws that protect religion

from offense. While both Egypt and Tunisia have an official state religion and an overwhelming

amount of the population adheres to that religion, these laws are also present in states without an

official state religion and are more religiously diverse.

The parameters of blasphemy are difficult to define as the nature of the transgression is

different depending on the cultural and political context. David Lawton (1993) writes in the book

Blasphemy that blasphemy "is culturally relative even as it indignantly refutes cultural

relativism" (p. 4). Furthermore, he adds that Blasphemy depends "upon the truths that a

community most values, and in the West these change more over time than most orthodoxies like

to think. It functions at the levels of community, discursive positions and semantics" (Lawton,

1993, p. 4). Blasphemy is the perceived defaming of beliefs that a community conceives of as

sacred and universal. In essence, the claims of blasphemy, are specific to a time and place but the

arguments are rooted in and reference older institutions. Lawton (1993) writes that blasphemy is

"framed in terms of the orthodox discourses that construct it and the institutions that produce it"

and continues by saying it is "brought as a charge against heretics in order to minimize their

philosophical impact" (p. 4). In many ways blasphemy laws can be seen as a defense mechanism

used by communities to stifle contrary ideologies by appealing to the very foundations of the

community.

Lawton (1993) describes Christianity and Judaism as logocentric in that they imagine that

the worst form of profanation exists in language (p. 6). Nicholas Walter (1990) echoes this point

in his book Blasphemy: Ancient & Modern when writing that in Judaism that God was so sacred

that it was blasphemous to utter or write his name (p. 10). The linguistic sensitivities surrounding

religion are present in Muslim communities as well. Today the internet and social media has become an important battleground in this struggle.

Saudi Arabian blogger Raif Badawi has become a representative of this struggle. Badawi was sentenced to 10 years in prison and 1,000 lashes to be given out weekly for apparently insulting Islam in his blog posts. The international community mobilized to pressure the Saudi government to halt the lashing which has thus far been successful. The internet has provided for a new platform for the expression of ideas and opinions, however governments have seized this opportunity to increase surveillance of its constituents. In the case of Raif Badawi, a large international coalition of freedom of expression organizations mobilized to exert pressure both directly and indirectly on Saudi Arabia for the purposes of this blog however, domestic mobilization to pressure the government will be the primary focus.

What will make Egypt and Tunisia unique in this effort is that they are both areas where a small space existed for domestic activism but this space became much larger following the uprisings in 2011.

<div align="center">Civil Society Theory</div>

The scholarly debate on civil society tends to be divided into opposing camps over the aspect of whether civil society is a tool for change or a tool to ensure the continuity of undemocratic elements in a society. Writers such as Neera Chandhoke, J.S. Mill, and Alexis de Tocqueville see civil society as an inherent good for society. Chandhoke (1995) states "they made a passionate plea for the freedom of civil society as they believed that society, peopled as it was by rational motivated subjects, was self-regulating" (p. 115). J.S. Mill and de Tocqueville "advocated a paradigm of a pluralist and self-organizing civil society that would necessarily result in a state of natural harmony and would only be hampered by State intervention" (Abdelrahman, 2004, p.

20). Civil society was seen as the force that would serve as a check to the government's power in society. John Kean (1988) explains the need for such a check when he writes "the state is deemed a necessary evil and natural society an unqualified good" (p. 50).

The assumptions that were espoused by the previously mentioned scholars such as a self-regulating and inherently good civil society would be challenged by writers such as Fredrich Hegel, Karl Marx, and Maha Abdelrahman. Hegel, the earliest of these writers, notes that there is "no necessary identity or harmony among the various elements of civil society" (Abdelrahman, 2004, p. 21). Hegel continues by stating that "the exuberant development of one part of civil society may, and often does, impede or oppress its other parts" (Abdelrahman, 2004, p. 21). Marx saw civil society as an aspect of society that would be exploited by the upper-class in a state. In *The German Ideology,* Marx (1976) writes "Civil society as such only develops with the bourgeoisie; the social organization evolving directly out of the production and intercourse, which in all ages forms the basis of the state and of the rest of the idealistic superstructure, has, however, always been designed by the same name" (p. 98). For Marx, civil society represented the larger society, but was part of the superstructure that fostered class inequalities. Furthermore Marx believed that the flaws of civil life such as social injustice would emerge in civil society as well. In the thesis of the book *Civil Society Exposed* , Maha Abdelrahman (2004) writes "the principal conclusion of this analysis is that civil society, far from providing the engine of social emancipation, in fact, constitutes a politically contested terrain characterized by authoritarian and repressive tendencies" (p. 1).

The scholarly debate previewed here has noticeable shortcomings. The main gap in the literature is that the authors speak of civil society as if it were a unit that replicates itself perfectly in different places. The civil society present in 18th century America at the time of de

Tocqueville's writing is different from the civil society present in 21st century Egypt at the time of Abdelrahman's writing. It is this study that will account for the diversity among civil societies around the Middle East and North Africa while extracting the common aspects among them that determine their success or failure in the realm of blasphemy legislation.

The effect of civil society

Baogang He (2002) takes up the idea of civil society and democratic consolidation when he writes "civil society is a necessary condition for democratization, for parliamentary democracy to be established, and for the boundary question to be peacefully settled (p. 203). Larry Diamond (1994) adds to He's point when he writes that the two of the main functions of civil society are "to monitor and restrain the exercises of power by democratic states, and to democratize authoritarian states" (p. 7).He (2002) refines his previous statement when he defines civil society as "de facto autonomous organizations that are independent of direct political control by the state" (p. 203). Although He (2002) points out that civil society is necessary for democracy, he mentions that civil society does not inherently constitute a sufficient condition for democracy (p. 209). This statement is problematic, especially since He fails to provide any evidence of liberal democratic states without civil society. It is true that the inverse can exist, but democracy without civil society is improbable. Lastly He fails to assess the strength of the relationship between civil society and democracy.

Mustafa Al-Sayyid (1993) writes in *A Civil Society for Egypt?* that civil society, while benefiting citizens through enhanced methods of organization, appeals to governments as it can help the state attain its goals (p. 239). The state can achieve its goals through civil society institutions through civil society's ability to channel the demands of the people to the government in a coherent manner. Governments are unable to gauge the demands of all of its

people, but civil society institutions can pool opinions together and deliver them to the

government which provides convenience for the government. While this convenience can come

in the form of funds saved, this convenience can also come in the form of violence avoided. Al-

Sayyid (1993) writes that in Egypt "supporters of nonviolence in the Islamist movement are to be

found mostly among professional groups of the middle class and wealthy entrepreneurs" (p.

240). Al-Sayyid believes that the ability to voice one's opinion, which is a cornerstone of

democracy, is a large factor in whether or not someone will result to violence to achieve their

political goals. Civil society organizations play a large role in aggregating the voices of citizens.

Although civil society organizations provide services to both citizens and governments,

their position in society can be threatened by governments that wish to co-opt them. If

successfully co-opted, civil society institutions can turn into unofficial government agencies as

they serve the interests of the government rather than the citizens. Nadine Abdalla (2008) in *Civil*

Society in Egypt: A Catalyst for Democratization? writes "in a country like Egypt, the regime in

place does not hesitate to co-opt NGO leaders and activists by giving them better positions

elsewhere in governmental or semi-governmental organizations while letting them retain their

positions as head of the NGOs" (p. 1). The reason for the government wanting to co-opt civil

society institutions is that it allows the government to provide legitimacy to institutions that

provide no threat to the regime, therefore institutions that disagree with the regime's policies will

receive less funding and less attention than their counterparts (Abdalla, 2008, p. 2). The lack of

attention and funds given to organizations critical of the regime damages the organizations as it

becomes increasing unable to conduct daily operations. The government can use its influence to

ensure that only the organizations that support the regime will prosper. While the argument made

by Abdalla largely focuses on the autonomy of civil society, it fails to give attention to how the

scope of civil society organizations effect democracy promotion. It is due to the lack of scholarship about the effect of a healthy civil society on democratic transitions that warrants this discussion. The next section will convey the tactics used to collect data on civil society organizations as well as blasphemy laws.

Methodology

This study will assess cases from Egypt and Tunisia. The countries were selected in the interest of holding as many variables constant as possible. Having these three countries allows for the study to control for regional and government type variables as they are all republican governments in the Middle East and North Africa region. Although the make-up of civil society in each country is unique, there are measurable aspects among their civil societies that can be used for comparison. For this reason, the autonomy and number of civil society organizations in each of the states will be an important measurement. This study will look at the official estimates taken in each of these countries to gather the number of Civil Society Organizations (CSOs) in the country. The number of CSOs in a country can only be an estimate as many of the institutions are informal and are not counted in official estimates. The populations of these three countries are not similar so to control for the population variations among these countries, CSOs per-capita would be the appropriate measurement for this study. The number of registered civil society organizations will be divided by the population size to give a clear view of the saturation of civil society in a given country. The autonomy of civil society institutions will be measured by looking at the legal parameters set up by governments for CSOs and how the CSOs maneuver within them. The legal environment would include laws surrounding things such as funding sources, and governmental interference. Measurements such as very autonomous, somewhat autonomous, and not autonomous will be applied to the civil societies in these countries. The

autonomy measurement and the per-capita CSO measurement will be taken and compared to the level of democracy consolidation in each of the countries. Correlation and the strength of the relationship will come thereafter.

The activity of CSOs working on blasphemy laws will be measured by looking at both the reported actions of the organizations on their websites and publications and the websites and publications of other relevant institutions. To assist in this effort, the Cross-National Time Series Data Archive will be used. This database is a tool used to track social movements. Outside of published events, this database will be the primary tool for measuring and comparing activism in the two countries.

Findings

The findings of this thesis are consistent with the stated hypothesis; they support the claim that healthy civil societies, which are understood as containing a large amount of civil society organizations and a high degree of autonomy, facilitate blasphemy protections. As previously mentioned, blasphemy protections are measured by both the domestic legal environment and the retaliation against those who commit blasphemy.

Tunisia which has a large number of civil society organizations has been able to realize the most aspects of blasphemy protection compared to Egypt as the country is able to get citizens engaged through a variety of outlets while also minimizing the undermining of the rule of law with relatively low levels corruption. Egypt has not seen the emergence of blasphemy protections as there are a proliferation of civil society groups in the country that have been operating for decades but these organizations do not have the same degree of autonomy as the organizations in Tunisia. Due to this reality Egypt has reached formal democracy but has been unable to move towards a consolidated one with the rule of law and a high degree of civil liberties. The space in

which Egyptian citizens can influence policy-making has been shrinking dramatically. In the past year Egypt has witnessed a large crackdown on media outlets as well as the assembly of it citizens. There has been a wave of prosecutions and laws enacted against protestors and journalists that have constricted the opposition in the country. This crackdown has included incidents of reported blasphemy as those accused of insulting religion have come under greater scrutiny as a longstanding law has been applied with greater force.

While tools such as the Cross National Time Series provided a wealth of articles on events within the Egypt and Tunisia no articles in the series were about blasphemy. However, there were six mentions of civil society for Egypt and one mention of civil society for Tunisia. The greater number of civil society mentions is likely a product of increased media coverage for Egypt as opposed to Tunisia. Within the Cross National Time Series Database, there were 304 articles about Egypt while there were only 81 articles about Tunisia for the period of 2011 to 2015. Despite this disparity in media coverage, deeper coverage of both countries would provide greater information on the stronger civil society and blasphemy protections of Tunisia and the opposite for Egypt.   The next section will go into detail into the findings for each country.

<div align="center">Conclusion</div>

The results displayed in this study demonstrate how a highly autonomous and large civil society has a strong effect on the blasphemy laws in these countries. This study could be enhanced with both quantitative analysis and greater reporting on blasphemy in these countries. While the USAID study and the Freedom House study provided helpful data on the number of civil society institutions in the three countries, the lack of data provides barriers for scholars who analyze this subject. This study will be helpful for the further study of civil society, blasphemy and the development of institutions in the Middle East.

Chapter 2- Tunisia

Historical Context

The North African country of Tunisia received independence from France on March 20, 1956 and would become a republic with a constitution by May 28, 1959. The Neo Destor political party, founded by Habib Bourgiba, formed the government and Bourgiba was elected president in 1957. The Tunisian government under Bourgiba embarked on a plan to both align the country with the West and consolidate the government's power in the country. Jacob Abadi (2013) describes Tunisia under Bourgiba as "a pro-Western, moderate and tolerant country lacking major ethnic or religious disputes" (p. 475). Bourgiba worked to portray Tunisia as an open and democratic country although the opposite was true. While Bourgiba's leadership was described as transformational and forward thinking, he is also described as having authoritarian tendencies. The General Union of Tunisian Workers (UGTT), the foremost labor union in the country, went on strike in 1978 over a disagreement to increase worker's salaries and were met by violence from security forces (Abadi, 2013, p. 495). The secretary general was arrested and sentenced to ten years of hard labor (Abadi, 2013, p. 495). Although authoritarian tendencies persisted and the democratic transition stagnated, the 30 year reign of Habib Bourgiba was seen as bringing the country to the brink of democracy.

The tenure of Bourgiba was interrupted by a coup d-etat which was initiated by Zine El Abidine Ben Ali who served as president from 1987 until 2011. Christopher Alexander (1997) writes that Ben Ali's aim at the time of the coup was to "establish the rule of law, to respect human rights and to implement the kind of democratic political reforms that Habib Bourgiba had steadfastly refused" (p. 1). Although Bourgiba initiated numerous positive reforms in the country, his later years were characterized by repressive actions and slow growth. Dissent grew

in the armed forces and culminated with this coup. Although there was support for Ben Ali, he actively worked to eliminate any forms of dissent, including dissent within civil society. Ben Ali was described as working "diligently to break the tie between elite and popular politics that was vital in the 1970s and 1980s" (Alexander, 1997, p. 3). By breaking this tie, civil society was relegated to a position where it could provide no political opposition (Alexander, 1997, p. 3). This goal was pursued through slander, threads of violence, and actual violence. Alexander (1997) continues by saying "this repressive strategy has stunted Tunisia's formidable civil society in two ways….it has elevated the risks of engaging in protest and made collective action much harder to organize" (p. 3). While civil society under Ben Ali struggled for recognition, it was far from defeated. While most actions taken by civil society actors were subject to government scrutiny, "pressure from the legal opposition parties has helped to prompt electoral reform" (Alexander, 1997, p. 3). In addition to the electoral reform that was successfully advocated for by civil society actors, human rights groups in the country were able to maintain independence and the trade unions were able to successfully push for economic reforms (Alexander, 1997, p. 3). Despite the interference of an authoritarian government, Tunisian civil society organizations were able to maintain a level of prevalence and autonomy that was not possible Egypt. The perseverance of civil society allowed it to be a driving force in Tunisian politics following the Jasmine Revolution in 2011.

<div align="center">Democratic Consolidation in Tunisia</div>

January 2011 saw the beginning of what would be a seismic disruption in the politics of the Middle East and North Africa. This change began when Muhammad Bouazizi, a young street vendor in the town of Sidi Bouazid, lit himself on fire in protest after being humiliated by a government official. The ensuing pro-democracy protests spread across the region and led to the

ouster of the leaders of four countries in the region. The Jasmine Revolution, as it was called in Tunisia, was the driving force behind Ben Ali's ouster. The departure of Ben Ali began, once again, the process of democratic consolidation. Tunisians began this process with an election of a constituent assembly which was in charge of drafting the new constitution for the country. Within this election the High Independent Authority for Elections was charged with facilitating these initial elections and creating an electoral environment that would serve as a proper precursor to democracy in the country. The National Democratic Institute (2011) stated, on the immediate transition process, "the creation of the ISIE and the adoption of a legal framework that encouraged inclusivity, impartiality and citizen oversight of the election process gave Tunisians across the political spectrum opportunities to participate in the country's first democratic elections as voters, candidates, citizen election monitors and polling officials" (p. 9).

Elections would be conducted and the constituent assembly would be elected, but the constitution drafting process would be slow and mired with opposition. Although the constituent assembly was elected in 2011, a draft constitution wasn't presented until 2013 and votes didn't begin until the beginning of 2014. The timetable did not work well for many opposition figures as "during the fall of 2013, leading members of the opposition were calling for the government to be toppled and for the Constituent Assembly to be dissolved" (Al-Ali and Romdhane, 2014, p. 1). This was also coupled with the assassinations of three opposition politicians and numerous attacks on the military (Al-Ali and Romdhane, 2014, p. 1). The attacks on opposition leaders exposed weaknesses in the rule of law which have undermined the democratic consolidation process. Despite the hiccups that occurred in the constitutional drafting process, the constitution was adopted and parliamentary and presidential elections were conducted in 2014. The ability to

have multiple successful elections meets several of the criteria for democratic consolidation mentioned earlier in the literature review.

Currently Tunisia is ranked as Free by Freedom House which makes it the first Arab country to receive this status since Lebanon lost it when it was plunged into civil war roughly 40 years ago. Freedom House (2015) wrote in its annual report "the improvements that pushed it into the Free category included a progressive constitution adopted in January 2014 and well-regarded elections for parliament and president later in the year. As the only full-fledged Arab democracy, Tunisia can set a strong positive example for the region and for all countries that still struggle under authoritarian rule" (p. 1). Regular elections and an improved rule of law have taken this country which was under entrenched authoritarian rule to a full democracy. This transition was made possible with the help of civil society which has been an enduring aspect of Tunisia from its formation in 1956.

Civil Society in Tunisia

The following discussion on civil society discusses how the autonomy and prevelance of Tunisian civil society has been a contributing factor in developing blasphemy protections. Rapid growth in the number of CSOs and the passage of legislation that streamlines the registration process with limited government involvement after 2011 were what imporved the health of civil society. The liberalized civil society environment from which is attributed to reduced governmental involvement cultivated an atmosphere that allowed for increased civic participation throughout the country.

Prevalence

With a population of 10.98 million people and roughly 9,000 official civil society organizations according to Freedom House (2014), there are a plethora of institutions that are at

the disposal of Tunisian citizens (p. 5). That is roughly one civil society institution for every 1,200 people. With this large number of civil society institutions, Tunisians have been able to influence policy making even while they were under an authoritarian regime. The first measure of the health of civil society in Tunisia will be the prevalence of these institutions in society which will indicate the popularity of these institutions and will allude to the second measure which is the legal environment of civil society institutions. Information on the prevalence of civil society institutions in the country will largely come from Foundation For the Future's 2013 *Study on Civil Society Organizations in Tunisia*. This report provides the most comprehensive overview of civil society institutions in the country after the Jasmine Revolution.

Foundation For the Future compiled data on both the number of civil society institutions in the country and the number of civil society institutions that were registered each year from 1980 until 2012. These data show a steady increase in the number of institutions in the country. The years that coincided with regime change (1987 and 2011) witnessed a spike in the number of created civil society organizations. The increases in the number of registered organizations in the country conveniently divided the data into three distinct groups based on the president at the time. Habib Bourgiba's tenure, during the first section of data from 1980 until 1987, saw the creation of between 44 organizations in the first year and 156 organizations in the last year (Foundation for the Future, 2013, p. 7). In turn the total number of institutions went from 1,969 in 1980 to 2,527 in 1987 (Foundation for the Future, 2013, p. 7).

The second period which stretches from 1987 until 2011 saw a short spike in the number of created organizations but this number would decline towards the end of this period. It is worth noting that the total number of civil society institutions never decreases, rather it is the number of organizations that are created where the decline can be witnessed. The first two years of Zine El

Abidine Ben Ali saw 1,759 and 1,738 organizations created respectively, up from the 156

created the year before (Foundation for the Future, 2013, p. 7). This spike in organization

creation brought the number of civil society organizations from 2,527 in 1987 to 6,024 in l989

(Foundation for the Future, 2013, p. 7). Although Tunisia witnessed a spike in the number of

registered organizations, the number of associations created each year declined rapidly until

2010 when only 126 civil society organizations were created (Foundation for the Future, 2013, p.

7). In the 23 years that Ben Ali was in office, the number of civil society institutions grew from

4,286 to 9,969 (Foundation for the Future, 2013, p. 7). These numbers would witness a rapid

increase after the Jasmine Revolution.

In the two recorded years after the fall of the Ben Ali regime, the number of civil society

organizations created rose at the fastest rate in the country's history. On the eve of the Jasmine

Revolution there were 9,969 civil society organizations but that number would grow to 12,111

by the end of 2011, the result of the registration of 2,142 additional organizations (Foundation

for the Future, 2013, p. 7). The following year would see an increase of 2,855 organizations,

bringing the number of registered civil society organizations to 14,966 (Foundation for the

Future, 2013, p. 7). Foundation of the Future (2013) writes "at the beginning of 2013, Tunisia

had 14, 966 associations, i.e., 1 association for 744 inhabitants" (p. 7). This shows that Tunisians

in 2013 had a plethora of organizations to utilize for collective action, democracy promotion, or

other causes, relative to the other two countries in this study. While these data does not account

for the number of active organizations, the increase in the number of registered organizations and

the total number there were in 2012, one can see the increase in the desire and ability for greater

collective action among Tunisians. "The 2011 and 2012 boom is related to the creation of

associations active in different areas, especially that of human rights, which were neglected

under the former regime" (Foundation for the Future, 2013, p. 8). An increase in the number of

civil society organizations cannot be attributed to increased desire alone; while the desire for

collective action can explain the increase, the changes in the number of organizations created

from year to year also reflect the legal environment in the country at the time. It is the legal

environment of the country that will determine the ease for civil society organizations to register

in the country.

Autonomy

Jacob Abadi (2013) attests to the influence of Civil society institutions in Tunisia as

organizations such as The Center for Research, Study, Documentations and Information on the

Woman and The Association of Tunisian Women for Research and Development were

instrumental in President Ben Ali's reaffirmation of his commitment of the Code of Personal

Status in 2006 which was the piece of legislation which gave equal rights to men and women (p.

535). This reaffirmation included the introduction of two bills that were designed to attain this

goal. The first was a law that protected the rights of mothers to assume custody of their children

and the second was a law which determined that the minimum age of marriage would be 18 for

both sexes (Abadi, 2013, p. 535). Although civil society organizations did influence policy in

cases such as this, Freedom House (2012) noted that under President Ben Ali civil society

organizations were largely service-oriented and were coopted by the government (p. 5). This

reality changed after the uprisings in 2011 as between 7,000 and 10,000 new civil society

organizations registered with the government within 10 months of the revolution (Freedom

House, 2012, p. 5). In addition to this spike in registered organizations in the country, a 1959 law

that requires all organizations register with the government was relaxed (Freedom House, 2012,

p. 5). The proliferation of civil society organizations and its increased autonomy from the

government has allowed for citizens to express their opinions to the government in times of crisis. The main example of this occurred when labor unions staged a general strike in response to attacks by extremists against secular opposition figures that went unpunished. The strike led to resignations in the government

The autonomy of civil society organizations in Tunisia reflect a legal environment that has evolved from stifling to supportive. Foundation for the Future (2013) writes that "systematic control of civil society was established in the early years after independence, through progressive removal of areas of freedom by the regime…democratic transition initiated in early 2011 has made a radical change of perspective by enacting a law that would provide civil society with the necessary space for its action" (p. 15). Under the Bourgiba and Ben Ali regimes, civil society was allowed to operate but there were substantial barriers erected against it that restricted its actions. The immense power of the government over civil society under these two presidents was a result of Law No. 59 of -154 which was passed in 1959. Under this law "the creation of an association was de jure and de facto under the control of the authorities who had discretion to grant or refuse a visa without any legal action possible" (Foundation for the Future, 2013, p. 16). This oversight was coupled with a long filing process and greater scrutiny for organizations with foreign ties. Members and leaders of civil society organizations that were found in violation of the regulatory provisions could either be sued or face up to six months in prison (Foundation for the Future, 2013, p. 16). In addition to the heavy restrictions of the pre-2011 Tunisia governments on civil society, Foundation for the Future (2013) remarks that civil society institutions were expected to be proponents of the policies espoused by the government (p. 16).

This means that civil society at the time was largely a tool manipulated by the government for its own purposes.

Although civil society organizations had to largely play into the hands of the government, they did have agency within that power structure to influence public policy. The UGTT, despite the far reaching government, wielded immense power in Tunisian society. "What made the UGTT so powerful was the fact that it has a presence in the most important sectors of the economy, especially among the Dockers and the providers of municipal services, who were capable of bringing the country to a virtual standstill if they were ordered to go on strike" (Abadi, 2013, p. 420). This was power that the Bourgiba and Ben Ali regimes could not ignore. Both entities knew that they needed each other and could significantly hurt the ability of the other to work effectively so they formed an amiable relationship that was designed to benefit both parties. "For more than 30 years, establishing alliances with individuals and factions of the governing elite and playing on tensions within party and state bureaucracies was a fundamental part of these organizations' strategies for influencing government policy" (Alexander, , p. 3). This give and take relationship between the government and civil society show that there was a small degree of autonomy for civil society organizations but this autonomy was not enough to promote greater protections for blasphemy. This relation would change drastically as the legal environment shifted after 2011.

The Decree Law No. 88 of September 24, 2011 was the embodiment of a shifting legal environment after the uprisings during that year. The new law put an end to coercive practices by the Ministry of Interior towards civil society organizations by reassigning the registration process for civil society organizations to the General Secretariat of the Government (Foundation for the Future, 2013, p. 17). This law eliminated the visa requirement and waiting period for new

organizations (Foundation for the Future, 2013, p. 17). Criminal and administrative sanctions were also dropped for organizations who do not comply with the regulatory framework for civil society (Foundation for the Future, 2013, p. 17). This new legal freedom was undoubtedly a contributing factor in the spike of registered organizations in the country in 2012. The new legal freedom was utilized to pressure the government for democratic reforms with the general strike of 2013.

On July 26, 2013, UGTT declared a general strike after Mohamed Brahami, a well-known opposition leader, was assassinated. This came months after Chokri Belaid, another famous opposition leader, was gunned down outside of his home. These two politicians belonged to secular parties and the Ennahda Party, the ruling Islamist party, was not responding adequately to these deaths. BBC (2013) reports of a protester at the strike who said "they (Ennahda) gave the green light to kill Tunisian people. We used to support them. But now they want to get rid of us". The protestors saw the murder of these two politicians and the lack of response by their government as a flaw in the democracy that they wished to achieve two years prior. These protestors were able to find solace in civil society who organized this action against the government on their behalf. This general strike hurt the government as all of the Tunisiair flights in and out of the country were cancelled due to this strike (BBC, 2013). This would have a profound effect on the Tunisian economy and would prompt action from the government. A cabinet reshuffle was enacted as a response to these murders and Mohamed Essebsi, the current president, would work with UGTT and the Ennahda party to broker a deal that would end the political stalemate. The end of this stalemate would lead to gains in blasphemy protections. Blasphemy

In Tunisia, blasphemy laws remained in effect following the uprising in 2011. However, the Tunisian constitution which was adopted in 2014 abolishes penalties for blasphemy. Article 6 of the Tunisian Constitution states "the state undertakes to disseminate the values of moderation and tolerance and the protection of the sacred, and the prohibition of all violations thereof. It undertakes equally to prohibit and fight against calls for Takfri and the incitement of violence and hatred" (Tunisian Constitution, 2014, p. 7). Similar to Egypt, conservative elements fought to include the crime of blasphemy in the Constitution and in the Penal Code. Following the opening of an art exhibit in Tunis that was deemed offensive to Islam by conservative elements in the country. This prompted the Ennahda party to issue a statement that urged the Constituent Assembly to add a provision to the Penal Code criminalizing blasphemy. In addition, the party urged the assembly to insert a constitutional provision prohibiting blasphemy. This would have criminalized blasphemy more so than Egypt. This proposal sparked an outcry from both civil society and secular political groups, who saw this provisions as a violation of freedom of expression and religion, furthermore these groups highlighted the legal ambiguity that would be created with blasphemy legislation. In this case the opposition would prevail and the new constitution would not only omit blasphemy legislation, it actively condemned the proposal of such legislation that would criminalize blasphemy.

When blasphemy law proposals emerged from the Ennahda party, civil society was a large element of the opposition. Tunisian civil society has deep roots and a long history in the country and in turn an element of legitimacy that enhances their activism. Egyptian civil society has had a different trajectory which left it weak in the aftermath of the uprising. Going forward, this blog will argue that it is civil society in Tunisia that made the difference in the development of blasphemy laws in the country and set it apart from Egypt.

Background

Blasphemy is defined in Tunisia as actions that harm "public order" and "public morals" (Human Rights First, 2014, p. 2). These actions are criminalized in Article 121(3) and Article 226 of the Tunisian Penal Code. Article 121(3) makes it an offense to "distribute, offer for sale, publicly display, or possess, with the intent to distribute, sell, display for the purpose of propaganda, tracts, bulletins, and fliers, whether of foreign origin or not, that are liable to cause harm to the public order or public morals" (Human Rights First, 2014, p. 2). Article 226(2) states that a person found in violation of Article 121(3) by "intentionally disturbing other persons in a way that offends the sense of public decency" can be sentenced to prison (Human Rights First, 2014, p. 2). As previously mentioned, these provisions had been law in Tunisia prior to the revolution and continued to be enforced during the transition period.

Following the uprising the moderate Ennahda Party would gain 89 out of 217 in the elections for the National Constituent Assembly, making them the ruling party. During their time in the Assembly, the discussion around Blasphemy was one of the most contentious debates (Human Rights First, 2014, p. 3). In 2012, members of the Ennahda proposed Article 3 to the constitution which called for the "criminalization of offenses against the sacred" (Human Rights First, 2014, p. 3). The proposal stated "the state guarantees freedom of religious belief and practice and criminalizes all attacks on that which is sacred" (Human Rights First, 2014, p. 3).

While not entered into the language of the proposal, the Ennahda party suggested that "religious offenses be punished by a two-year prison term for first-time offenders and a four-year term for repeat offenders" (Human Rights First, 2014, p. 4). However, a more precise definition of what constituted blasphemy was not given. Without a precise definition of blasphemy, Human Rights First (2014) stated "policer officers, judges and prosecutors could have interpreted such

an article at will, potentially criminalizing everything from curses said in passing to artistic expression or political debate, and more" (p. 4). Additionally, "extremists would have felt empowered to demand that the state should punish anyone who offended against their definition of the sacred" (Human Rights First, 2014, p. 4).

The reaction to this proposal, Human Rights First (2014) noted, "stoked fears among civil society groups of a creeping Islamization that would seriously curtail free speech and artistic expression" (p. 3). Furthermore, opponents argued that "the wording of the article was vague, internally contradictory, and open to misuse" (Human Rights First, 2014, p. 3). Drawing upon these criticisms, Human Rights First (2014) wrote "with vocal opposition to the blasphemy clause by civil society groups, and after negotiations within the troika…Ennahda agreed to drop the blasphemy clause (p. 4). This moment in the Tunisian transition is important as it exemplifies how civil society steered the government towards secularism. The Ennahda party would raise additional proposals to criminalize blasphemy but they all would be tabled.

Although there would not be additional blasphemy laws implemented, the criminalization of blasphemy remained during this transition period and people would be arrested because of it. Arrests under Tunisia's blasphemy law since 2011

Previous posts have portrayed Tunisia as the exceptional case relative to Egypt. This is due to Tunisia placing anti-blasphemy provisions in its constitution in 2014[1]. However, despite the removal of Zine El Abidine Ben Ali, blasphemy remained punishable by fine and imprisonment. Despite what some would deem a more open society, arrests persisted under the

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[1] Article 6 (B) of Tunisian Constitution: "The state undertakes to disseminate the values of moderation and tolerance and the protection of the sacred, and the prohibition of all violations thereof. It undertakes equally to prohibit and fight against calls for Takfir and the incitement of violence and hatred." (Tunisian Constitution, 2014, p. 4).

country's enduring blasphemy law. This post will delve into the arrests of Jabeur Mejri and Ghazi Beji, Nabil Karoui, and Sofiene Chourabi in 2012.

Jabeur Mejri and Ghazi Beji

On March 28, 2012 Nefri and Beji posted pictures on facebook of the Prophet Muhammad naked. Nefri would stand trial while Beji flee the country and face trial and absentia. These men were charged for "transgressing morality, defamation and distruption public order", a violation of section 121(3) of the penal code. Ghazi Beji, a self-described atheist, wrote a book that he hoped to get published following the uprising (Bostom, 2012, p. 1). Beji contacted several book publishers about his book entitled "The Illusion of Islam" (which contains the caricatures of the Prophet Muhammad naked) and they all refused so he decided to publish his work online (Bostom, 2012, p. 1). After posting this online, Beji would flee the country and seek asylum in Greece. Mejri, an English teacher, had also shared the caraciture of the prophet on Facebook and was promptly arrested for this. Both men were later sentenced to seven years in prison and ordered to pay a large fine. Of the seven years he was set to serve, Mejri would serve two years before being freed. According to his account he suffered beatings at the hands of his fellow inmates with little to no intervention from prison officials due to knowledge of his "crime".

Nabil Karoui

Karoui was arrested after more than 140 lawyers filed lawsuits against him for disturbing public order and violating sacred values. As the owner of Nessma TV, the Tunisian television station, he aired the Iranian movie Persepolis which features an image of God on October 7, 2011. This image incited a mob of roughly 100 people to burn down his house on October 14th. They entered his home, proceeded to break vandalize his home, and injure his maid in the process.

Reports surfaced of demonstrations occurring against Karoui around the country, with numerous individuals attempting to damage government offices to press for his prosecution. Although facing a term of up to three years in prison, he was ordered to pay 2400 dinars. One of his most outspoken supporters was Chokri Belaid, who would be shot and killed by Islamists as he walked out of his home roughly six months after this incident.

Sofiene Chourabi

While not directly related to the blasphemy law, Sofiene Chourabi was arrested a day after speaking out against the blasphemy law proposed by the Ennhada party in 2012. On August 5th Chourabi was arrested for public drunkenness, which was not a crime in Tunisia. Chourabi would end up having to pay 104 dinars in fines.

The Innocence of Muslims

As news of the controversial movie *The Innocence of Muslims* reached the Middle East in the summer of 2012, protests erupted near various U.S. Embassies throughout the region. In Tunisia, protests near the compound of the U.S. embassy left four dead and 46 injured. The compound would be breached by protestors and the Embassy would withdraw its staff from the city. In total, 87 people would be charged in connection with this incident and it would be condemned by secular and Islamist parties. This moment displayed how blasphemy still maintained the strength to rouse violent emotions but the political system, although the charges given to protesters would be severe, would be strong enough to withstand the public outrage against this film.

Conclusion

These are just some of the cases of aggressions against people for blasphemy. The political situation in Tunisia between late 2011 and late 2014 would be difficult as repercussions were

faced for operating outside of religious and cultural norms. The early transition period would be remarkably different from the latter period as changes in the balance of power led to an improving freedom of expression environment domestically. This would not be witnessed in Egypt.

Chapter 3- Egypt

Historical Context

The North African country of Egypt, which was under British occupation from 1882 until 1907, received its independence in 1919. The first Egyptian government was established as a semi-independent constitutional monarchy under Kings Fu'ad and Faruq and established special authority for the British (The Solidarity Center, 2010, p. 4). This regime, which lasted from 1922 until 1952, contained an active parliament that was both active domestically and on the international stage. A national delegation (wafd) that was barred from attending the Paris Peace Conference in 1919 sparked a nationalist uprising that consisted of at least 24 major strikes that year and at least 84 more strikes in the next two years (The Solidarity Center, 2010, p. 6). It was this collective action that pressured the British government to declare Egyptian independence.

Civil society played a large role in Egyptian society at the time as organized labor alone had around 20,000 members (The Solidarity Center, 2010, p. 6). In 1922 there were roughly 95 unions in Egypt according to The Solidarity Center (2010, p. 6). The movement that facilitated independence led to the creation of the Wafd party which would control parliament for most of the first half of the twentieth century. The Wafd party would actively work to facilitate the creation of civil society organizations, specifically labor unions. While civil society organizations were being created at a quick pace, these organizations were not legally recognized. The Solidarity Center (2010) writes that this was harmful for civil society organizations that endorsed views that the Wafd party did not agree with because they could be marginalized by the government (p. 6). The effects of this could be seen when governments led by rival parties took office, as trade unions supported by the Wafd party would be disbanded and vice versa when they were not in the government (The Solidarity Center, 2010, p. 6). Trade

unions would eventually receive minimal benefits in adherence to International Labor

Organization (ILO) recommendations, and unions would receive formal recognition from the

government in 1942 with Law 85 (The Solidarity Center, 2010, p. 8). This period of Egypt's

history saw the creation of a highly fractious and politically charged civil society that had few

protections, but towards the end of this regime's tenure, greater protections would be added to

bolster the strength and prevalence of these organizations.

The next period which lasted from 1952 until 2011 is the era of the free officers. This

period witnessed the improvement of most aspects of life in the country, including civil society.

The number of organizations increased, although the autonomy of these organizations fluctuated

during this period. The Free Officer regime under president Gamel Abdel Nasser, periodically

clashed with independent civil society organizations, removed top officials from these

organizations, and banned any form of civil disobedience from civil society (The Solidarity

Center, 2010, p. 10). This move was made by the Nasser government because he worked to

establish government control over many companies that delivered goods and services to the

Egyptian people. As the Egyptian government became the employer of millions of Egyptians, it

did not wish to become the target of citizen dissatisfaction. The main piece of legislation that

demonstrated this was Law 32 of 1964 which made gave the government the authority to "deny

registration to any NGO whose members did not express willingness to co-operate with the

regime" (Abdelrahman, 2004, p. 129).

The environment for civil society would prove turbulent under President Anwar al-

Sadat's tenure. President Sadat's period saw an opening of outlets for civil society to disseminate

information (The Solidarity Center, 2010, p. 13). Organizations would take advantage of the

ability to publish dissenting opinions during the uprisings such as the bread riots that occurred in

1977 when subsidies on bread were removed (The Solidarity Center, 2010, p. 12). The uprising prompted the Egyptian government to replace the subsidies and resort to a more gradual approach in their removal (The Solidarity Center, 2010, p. 12). Although the removal of subsidies and economic stagnation harmed civil society, the liberalization of many aspects of society allowed for CSOs to improve on their position within communities throughout the country. The liberalization that occurred during the Sadat years would largely evaporate during the years of President Hosni Mubarak (The Solidarity Center, 2010, p. 13).

The Mubarak years (1981-2011) saw an active civil society but it also saw few concessions from the government. The financial crisis of 2008 and further privatization of state owned enterprises saw dramatic increases in the unemployment rate which sparked new protests. Protests organized by civil society organizations, especially trade unions, would gain concessions that would not be fully implemented. Such was the case when factory workers went on strike in 2006 and 2007 and had yet to receive the benefits of a negotiated agreement with the government by 2009 (The Solidarity Center, 2010, p. 15). Strikes would happen more often during this period and labor unions would play a large role in civil disobedience during this period. Although civil society organizations were operating in a repressive environment, their persistence in civil disobedience with the goal of influencing public policy was an important precursor for the uprisings that led to the resignation of President Mubarak in 2011.

The Egyptian protests that followed those in Tunisia were both short and deadly. This uprising only lasted 18 days but claimed the lives of 846 people (BBC, 2011, p. 1). Protestors would gather in Cairo's Tahrir Square and occupy the square until the president resigned his post in an effort that would be publicized globally. On February 12, 2011 President Hosni Mubarak resigned as President of Egypt after over 30 years in power (Aljazeera, 2011, p. 1). After the

resignation of President Mubarak, the Supreme Council of the Armed Forces (SCAF) took control of the presidency and ushered in the transition process. In 2012 elections were held for the presidency and Mohammed Morsi from the Freedom and Justice Party (affiliated with the Muslim Brotherhood) was elected. This term would only last for a year as Morsi's tenure involved him revoking SCAF decrees that limited his power, changing military leadership, and dissolving the House of Representatives (BBC, 2014, p. 1). These changes and more prompted many of the people that were in the streets in 2011 to return to the streets in 2013 to demand Morsi's resignation. Despite President Morsi's continued refusal, the SCAF removed him from office in June 2013 in a move that many in the international community have deemed a coup. This second transition period would include a constitution that would be drafted by the end of 2013 and presidential elections which Abdel Fattah al-Sisi, the leader of the SCAF won. The events of the post 2011 period have left the country polarized and has been described by analysts as a resurgence of a police state in Egypt (Aljazeera, 2014, p. 1).

<center>Democratic Consolidation in Egypt</center>

Egypt is currently ranked as 'Not Free' by Freedom House, receiving a 5.5 on a best-worst scale ranging from 1 to 7 (Freedom House, 2015, p. 1). This rating, while low, shows progress in some areas and stagnation or regression in others. In the country overview, Freedom House (2015) states that Egypt was ranked as not free because of a deteriorating security situation in the Sinai Peninsula, restricted civil and political liberties, voting irregularities in the most recent presidential election, and the military coup facilitated by the Supreme Council of the Armed Forces (SCAF) (p. 1). This score is a downgrade from the immediate post Mubarak period and this was largely due to a marginalization of the opposition. While the post Mubarak

and Morsi eras allowed for dissent, as shown in the massive protests that occurred over this period, the Al-Sisi era has worked to close the space for dissent through protest legislation that places restrictions on civil disobedience.

The SCAF control of the government after the removal of president Morsi was repressive in its restrictions of civil liberties. Military authorities promptly shut down most of the Islamist and opposition media thus only allowing for press that was supportive of the government's positions (Freedom House, 2015, p. 1). The most notable example of these actions occurred when three Al-Jazeera journalists were arrested by the government and sentenced to seven years in prison for conspiring with the Muslim Brotherhood (Freedom House, 2015, p. 1). These journalists would be released in the beginning of 2015. Expression and other forms of political activism that defied the governments restrictions would be met with and harassment. University students who defied government restrictions and protested which led to the expulsion of students involved with these demonstrations at the behest of the government (Freedom House, 2015, p. 1). In the category of civil liberties, Egypt would receive a score of 18 out of 60 which is downgrade of four points from the previous year (Freedom House, 2015, p. 1). These downgrades would also be seen in the rule of law as well.

In the rule of law, Egypt would receive a score of 2 out of 16 which a downgrade of two points from the previous year (Freedom House, 2015, p. 1). The judicial system in Egypt would become highly politicized after 2013 as the courts would had down death sentences to roughly 1,400 in "deeply flawed mass trials" (Freedom House, 2015, p. 1). These trials have received condemnation from the international community as a violation of due process. In these trials it was demonstrated that the judiciary was not independent but rather swayed by the politics of the nation. The military was granted greater authority over the judicial process and civilians were

allowed to be tried in military courts. Military tribunals, which have been used to try critics of the government, were expanded to try and convict more anti-government protestors. The expanding government power has decreased the space for free expression, which is important to democracy. Whereas in Tunisia, civil society was able to pressure the government for further democratic reforms, Egyptian civil society would not be able to replicate those efforts. Egyptian civil society would not follow the path of Tunisia due to the presence of pre-revolutionary policies that continued to restrict the freedoms of civil society. Civil society's inability to maintain influence in public policy has been the main reason that the country's democratic transition could be said to be stagnated or receding.

Civil Society

Prevalence

The number of civil society organizations in Egypt is notable because while the absolute number of organizations is the greatest of the three countries, the number of CSOs relative to the population size makes it the middle country as far as prevalence. There are over 45,000 registered civil society organizations with a population of 82.06 million in 2013 (USAID, 2011, p. 9). That is roughly one civil society organization for every 1,824 people in the country. There are not as many civil society organizations per person as there are in Tunisia despite the vast number of organizations in the country. As with all of the other countries, the number of CSOs has gradually increased over time. A study conducted in 1990 put the number of CSOs at 20,000 with 14,000 organizations registered with the Ministry of Social Affairs (Abdelrahman, 2004, p. 121). The Ministry of Social Affairs reported that there were over 15,000 registered CSOs in Egypt in 1996 (Abdelrahman, 2004, p. 121). An independent study in the same year placed the number of CSOs at 28,000 (Abdelrahman, 2004, p. 121).

It is clear that the numbers on the amount of CSOs in the country at any given time provided an unclear view of the landscape for these organizations. There are two points that are clear from the numbers presented on the prevalence of civil society in Egypt in the past 20 years. The first point is that there is work to be done to gather data on civil society in the country in order to better evaluate the landscape. The second aspect that is evident from these numbers is that their official numbers provide an incomplete assessment of civil society in the country. The thousands of possible organizations that are not registered with the Ministry of Social Affairs demonstrate there are structural factors keeping organizations from registering. Although unregistered organizations are will not be the focus of this chapter, their presence prompts important questions on the organizations that are registered, such as what makes this group of organizations different from the organizations that are not registered that either prompts or allows them to be registered. The last and most relevant aspect of these numbers is that there has been tremendous growth in the number of CSOs in the last twenty years.

The growth in the number of CSOs from 20,000 in 1990 to 24,500 in 2007 to 45,000 in 2013 show that there has been a rapid increase in the number of registered organizations. The largest increase has come in the period between 2007 and 2013 where official numbers on CSOs have grown roughly 21,000. This growth can largely be attributed to the uprisings in 2011 which spurred an opening of Egyptian government after the resignation of President Hosni Mubarak. The growth that was witnessed in Egypt following 2011 mirrors the growth that occurred during the same time period in Tunisia. Numbers are not readily available on the distribution of these organizations throughout the country as they are in Tunisia, but as mentioned before CSOs were largely concentrated in the Cairo metropolitan area. While the number of CSOs in Egypt has

increased, these organizations are operating in a legal environment that is working to erect barriers to entry for these organizations.

Autonomy

As previously mentioned, civil society organizations have held a large influence in Egyptian society from before its independence. Strikes were regularly carried out by labor unions and other CSOs in opposition to unfavorable policy. This trend, which continued into 2010, set the stage for non-violent resistance in the coming years. Prior to and since 2011, civil society organizations faced a wealth of barriers such as "excessive government discretion", a prohibition against unregistered organizations, and prohibitions against assembly (The International Center for Not-for-Profit Law, 2014, p. 1). Restrictions were loosened after the 2011 uprisings but Law No. 84 which was passed in 2002 and replaced in 2014 unregisters organizations from the Ministry of Social Affairs list and makes them register again but under the tighter restrictions of the new law. Organizations that do not reregister and continue to operate could face legal penalties (The International Center for Not-for-Profit Law, 2014, p. 1). This law could possibly depress the number of registered organizations because those that have to re-register "fear that, assuming they are able to complete Law 84's onerous registration process, they will be subject to the Law's constraints on their activities and funding, and made vulnerable to harsh penalties" (International Center for Not-for-Profit Law, 2014, p. 1). The law grants the Ministry of Social Affairs vast oversight of almost every aspect of the operations of CSOs. Coupled with stiff penalties enacted against political assembly, the Egyptian government can not only monitor CSOs, but also punish any behavior that falls outside of its approval. This happened in February 2015 when the Egyptian government dissolved 169 NGOs affiliated with the Muslim Brotherhood, the Egyptian government's largest domestic political opponent. This move came

after the Muslim Brotherhood was banned by the Egyptian government. "Law 84/2002 gives the Egyptian authorities the power to shut down, freeze assets, block funding, confiscate property, and reject the governing boards of any NGO" (Albawaba, 2015, p. 1). CSOs have defied the oversight of the Egyptian government but the expanding power of the government has rendered them weak. The gradual weakening of civil society has largely silenced the opposition, erasing the check citizens had had over their government. The inability of citizens to petition their government through CSOs, especially those with dissenting opinions, has harmed the democratic transition that was launched in 2011, and was ineffective in lobbying for greater blasphemy protections. The next section will outline some of the publicized cases of blasphemy arrests in Egypt from 2011 to 2016.

Blasphemy Arrests in Egypt

Fatima Naoot

The case of Fatima Naoot exemplifies the contested space of social media in Egyptian society. Naoot published a post on Facebook that referred to the slaughter of sheep during Eid Al-Adha as "the most horrible massacre committed by humans". People who were outraged by this post filed a lawsuit against the Naoot for "insulting Islam". This lawsuit would lead to a conviction and a three-year prison sentence coupled with a fine of 2,000 Egyptian Pounds ($255) (Rebello, 2016, p. 1). The appeal to this conviction would be rejected. Part of the reason for the rejection of this appeal, Egyptian Streets (2016) claims is that Naoot was unable to attend appeal proceedings because she was attending a conference in Canada (p. 1). The Washington Post states that President Sisi's critics referred to the recent blasphemy crackdown as a tool that has helped him strengthen his grip, silence opponents and gain moral authority. The moral authority that the Egyptian government has tried to claim has allowed it to justify its actions by shaming

social media and those who use it. Human rights activist Mina Tibet stated that the government wants to "control people by showing they have moral codes they are devoted to, so that no one can question them". Rather than blocking social media, it is more advantageous to allow for people to voice their opinions but use arrests and litigation to set examples and discourage future use.

Coptic Children

According to Ahram online, two Christian boys were arrested after an Imam filed a lawsuit against them for allegedly tearing up pages containing Qur'anic verses in October 2012. Nabil Nagy Rizk (10) and Mina Nady Farag (9) were arrested in the Egyptian governorate of Beni suef and charged under the country's penal code for committing blasphemy. The family responded to this claim by stating that the boys were illiterate and were playing with them because they found them in the garbage. The boys were taken to the police station by authorities in the presence of an angry mob. Following intervention by President Muhammad Morsi, the boys would be released four days later the but the charges would not be dropped.

Karam Saber

On May 7, 2013 a criminal court in Beba, Egypt sentence land rights activist Karam Saber in absentia to five years in prison and ordered him to pay a fine of 1,000 Egyptian pounds. This conviction was in connection to a series of stories he published entitled "Where is God?" which tells the stories of poor farmers in Egypt. Citizens in the area claimed that this title promoted atheism and thus filed the lawsuit.

Karim Ashraf Mohamed al-Banna

Karim al-Banna (21) was arrested in November 2014 for announcing on Facebook that he was an atheist. The 21-year-old was arrested in a café with a group of other people, and the café

was promptly shut down by officials. At his trial his father would testify against him on the grounds that he was "embracing extremist ideas against Islam". Al-Banna would be sentenced to three years in prison for his post.

<div align="center">Islam Behery</div>

Behery is an Islamic researcher who was jailed for publishing a story on his television program that disputed the credibility of some of the Prophet Muhammad's statements. As a prime source for Islamic jurisprudence, Behery's statement offended people in government and religious elite and led to his arrest. While not explicitly calling for the arrest of Behery, discontent with his statements could be seen from the highest officials in Egyptian religious society. Clerics within Eypt's Al-Azhar, the highest seat of Sunni Islam, demanded the suspension of the show stating "it entailed a fierce campaign against the foundations of Islam and Islamic Legacy (Al-Ahram, 2016, p. 1). The television show would be shut down despite the show issuing a statement saying it "does not encourage debates or programmes that stir divisions among Muslims and lead to tensions and strife" (Al-Ahram, 2016, p. 1). In his defense, Behery stated "Egypt is a land of Injustice…Many thanks to President Abde-Fattah El-Sisi and his religious revolution…I am thankful for freedom of expression in Egypt" (Al-Ahram, 2016, p. 1). The legal environment in terms of blasphemy has not persisted without a fight from the opposition. For example, Human Rights Watch has publicized claims to repeal blasphemy laws in Egypt. In a 2014 post titled *Egypt: Repeal Laws Used to Convict Author- Blasphemy Rules Harm Free Expression* Human Rights Watch (2014) calls for the repeal of article 98 of the Egyptian Penal Code (p. 1). Human Rights Watch issued this release after a criminal court in the central Egyptian town of Beba sentenced land rights activist Karam Saber in absentia to five years in prison and a 1000 Egyptian Pound Fine for a collection of stories he released entitled

"Where is God?" which tells the story of poor Egyptian Farmers (Human Rights Watch, 2014, p. 1). Alledging that the stories promoted atheism, citizens from the town of Beni Sueif filed a legal complaint which led to Saber's charges.

Through this ordeal, Human Rights Watch illuminated the major contradiction with blasphemy laws in Egypt as the country guarantees freedom of religion and belief while punishing those who express views contrary to dominant thought. "Although Egyptian authorities claim blasphemy laws maintain social peace, they often have the opposite effect," Stork said. "Prosecuting people for beliefs peacefully expressed validates, rather than combats, intolerance." (Human Rights Watch, 2014, p. 1).

Conclusion

Within the government, attempts have been made to protect blasphemy but they have come to no avail. In February 2016, Lawmaker Mona Mounir introduce a bill to repeal article 98 of the penal code. Mounir stated that she made the decision to introduce this bill because "Article 98 of the penal code contradicts the constitution's articles on freedom of belief and freedom of thought and opinion." (Egyptian Streets, 2016, p. 1). She introduced this bill following the Behery and Naoot arrests and sought to implement some of the protections for blasphemy that have been implemented in Tunisia. There has not been much progress on this legislation since its introduction and there does not seem to be much support for its passage.

Chapter 4-Conclusion

Introduction

Civil society has made varying contributions in blasphemy protection efforts in Egypt and Tunisia. The success of these protection efforts relied on the effectiveness of CSOs to assist by lobbying the government for specific actions that would aid this process. The results of this study demonstrate that healthy civil societies facilitate blasphemy protections. The conclusion of this project will reiterate the contributions of this research, as well as provide policy recommendations for stakeholders involved in democracy building and the promotion of the freedom of expression.

Contributions

As stated in the introduction and literature review of this paper, the literature on blasphemy does not provide consensus on the contributions of civil society. Empirical evidence provided in this study addressed this gap in literature by conveying the correlation between the health of civil society and the health of a country's democracy and its blasphemy protections. This study also contributes to the debate on the nature of civil society itself as it addresses the characteristics that CSOs hold. Providing hard numbers to convey the health of civil society and the status of democracy in the countries involved in this study, examples demonstrated both the power of CSOs and governments in their ability to either advance or hinder the democratic consolidation process. Examples such as the UGTT in Tunisia demonstrated the progressive qualities of a healthy civil society in an undemocratic state when they were able to organize nationwide strikes to demand an investigation into the death of two secular opposition leaders. One is likely to believe that the Tunisian government acted with greater urgency because there was an organized resistance with the power to inflict direct economic harm on their interests. A

non-existent or co-opted civil society would not have had the same effect because individual actors would not have been able to organize in a way that positioned them to make an economic impact and thus have the political capital to issue demands and request immediate action. In a governance system that is designed to integrate individuals into the governance process, civil society is an effective facilitator for the realization of the concept.

In addition to the scholarly debate on the impact of civil society on blasphemy, scholars also debate on the nature of civil society in general. This scholarly debate largely revolves around the interests that civil society serve in society and its formation. Scholars such as Alexis DeToqueville view civil society as a self-organizing force in society that is inherently good and represents the interest of constituents. On the other hand, scholars like Karl Marx believe that civil society organizations are tools used by governments and elites to ensure the continuation of the current societal structure. This critique was replicated by Maha Abdelrahman when she states that civil society in Egypt was a tool manipulated by the government to maintain control and oversight over the population. CSOs would be funded by the Ministry of Social Affairs and member from the ministry would have to sit on the board of directors for these organizations. This paper adds to this discussion by stating that civil society can embody either of these characteristics but the characteristics that civil society organizations take depend on its prevalence and autonomy. A civil society that is widespread throughout society and maintains a high degree of freedom from the government will represent the interests of its members but if the opposite is true then civil society will only serve to reproduce the societal relations that are present in that society.

In addition to the contribution to conceptual literature on the subject, this study also adds to the civil society discussion through its choice of empirical cases as it has utilized a unique

combination of countries to analyze civil society. The fact that Tunisia and Egypt underwent democratic transitions following popular uprisings in early 2011, provided an ample opportunity to study what forces within a country might push it towards or away from democracy. Organized groups of people in these countries have been able to take advantage of these democratic transitions in order to enhance their positions in the countries they reside in. The ability to analyze ongoing political transitions on a large scale provides a unique opportunity that arguably has not occurred since the fall of the Soviet Union.

Counterpoints

One decision that was made during the formation of this study was to exclude tribes and informal networks. Sheila Carapico (1998) writes that tribal and religious networks provide the basis and beginnings of civil society (p. 60). Characteristics of civil society are embedded in tribal and religious organizations but their lack of formal participation through registered organizations does not contribute to democracy in the same way as registered CSOs. While tribal networks in rural Tunisia or Egypt are an integral aspect of society, there are notable differences between networks and CSOs that made it necessary to exclude them. First, tribal networks are not purpose driven organizations like labor unions and advocacy organizations are. Tribes are loose familial networks that do not have a formal purpose, and instead are a framework for a variety of processes within a given social group. Mediating disputes, conducting warfare, and officiating ceremonies are a few of the functions of tribes but their duties are much broader than what would be considered as a civil society organization. Lastly, tribes are not registered with their governments due to their informal status. The purpose of this study was to evaluate formally registered organizations. Having these organizations registered with the government is helpful because it provides insight into all aspects of the organization, as opposed to more

ambiguous tribes. Also to count tribes would be a daunting task that would open the door for immense error since Egypt and Tunisia contains a multitude of Berber and Tuareg tribes and other informal organizations that would be difficult to quantify. While not counting important organizations could be harmful for the research, the fact that these organizations are not counted should speak to the nature of CSO registration and autonomy in the country.

Some may look at the argument this paper makes and believe that the inverse is true; that blasphemy protections and greater civil liberties overall improve civil society. This argument can be made on the basis that liberal democracies, through freedoms and security, provide an environment that would then be suitable for CSOs to thrive. While it is true it would be easier to find healthy civil societies in democratic states, it is possible for a healthy civil society to be established in an undemocratic state. While not all of the civil societies in this study are healthy, they were all established in undemocratic states. Egypt and Tunisia for example had strong labor unions in their countries before becoming independent. While civil societies can exist in undemocratic states, the government has actively worked to stifle the environment that CSOs operate in. Each of the governments in this study have co-opted civil society by expanding government powers to intrude upon the autonomy of CSOs. CSOs in Tunisia and Egypt already had established networks prior to government co-option which was activated after the uprisings once government restrictions had subsided. The Tunisian and Egyptian examples show that civil society emerged before democracy did and it was the presence or lack of civil society that led to blasphemy protections or lack thereof.

Another concern that comes up, which is related to the previous question is how civil society can develop without some of the other forces believed to facilitate blasphemy protections. These forces may be but are not limited to elite consensus, economic development,

and a stable security situation. These statements assume that these external forces are the drivers behind civil society, and thus comprise the main reason for democratic consolidation. These assumptions are weak due to the ability of civil society organizations to develop despite the absence of the aforementioned forces. While not a subject of this study, Yemen provides an example of a country with a poor economic and security situation but has also witnessed civil society growth within the past 50 years, and rapid growth in the last four. Civil society organizations do develop in less than ideal circumstances but it is active government resistance that halts the process.

<div align="center">Limitations</div>

The largest hindrance when conducting this research was compiling data on the prevalence and autonomy of CSOs in the two countries. The numbers collected on CSOs in the three countries were not current enough to provide data on the most recent year. More recent data would be helpful in determining the effect of events since 2011 on civil society in the countries.

Information on how many of the civil society organizations that are registered with the government are active would be helpful in further determining the prevalence of civil society in the two countries. For the two countries, it is possible that the number of CSOs are inflated and that they do not account for registered organizations that are not active. One way that the Egyptian government has tried to update these lists is by un-registering all CSOs and making them re-register. This has not proven to be an ideal policy because it has been coupled with tighter restrictions on registration which is reported to have discouraged registration by many active organizations.

Should this research be expanded and given more time and money, field research would immensely complement the work that has already been conducted. Since the political transition

has been rapidly developing, field research would allow for primary data to be obtained that adequately reflects the political environment at the time. It would also improve the research to conduct interviews with directors of civil society organizations in these countries to further grasp the barriers they face in their countries, and how they are able to petition their governments to support their interests.

<div align="center">Policy Recommendations</div>

This section of the conclusion will include three policy recommendation for the governments included in this study and for the international community at large. These policy recommendations were designed to be practical suggestions that would help bolster civil society and advance the protection of blasphemy.

The first recommendation would be for the governments to implement a yearly survey of civil society organizations in their country that would be publically released. This survey would be helpful for all parties invested in both the civil society and democratic consolidations of these countries. Governments and civil society organizations could use these surveys to align civil society with urgent needs of a variety of communities.

Second, governments should take steps to decrease their interference in civil society. This could be done by decreasing oversight. The barriers that have been erected for CSOs to register with the government should be eased to encourage registration. Decree Law No. 88 which was mentioned in chapter 2 would be an example of such policies. Prohibiting government coercion of CSOs and eliminating visa requirements for new organizations would facilitate the creation of CSOs. More registered CSOs is a benefit for all parties involved because it further connects people around the country to their government and improves governmental and non-governmental cooperation.

Third, governments should ease restrictions on civil disobedience. Protest laws, such as the one in Egypt, which jails people for non-violent civil disobedience, restricts the autonomy of not just civil society but all Egyptians who wish to petition their government. The arrests of protestors should stem from valid security concerns and people should be allowed to petition their government. This would allow for civil society to influence public policy decisions and for governments to hear from their constituents.

<div align="center">Final Thoughts</div>

In conclusion, *Civil Society and Blasphemy in Egypt and Tunisia since the Arab Uprisings* provided a nuanced approach to civil society and blasphemy theory. Theoretically this research demonstrated that civil society has a substantial impact on a country's freedom of expression laws. This research contributed empirically by isolating the prevalence of CSOs and their autonomy as determinants of the health of civil society. Despite the vast diversity of CSOs both within and between countries, the measures utilized by this study can be generalized to include countries around the world.

References

Abadi, J. (2013). *Tunisia since the Arab Conquest: The Saga of a Westernized Muslim State*. Reading, UK. Ithaca Press.

Abdalla, N. H. (2008) *Civil Society in Egypt: A Catalyst for Democratization?* The International Journal of Not-for-Profit-Law, Vol. 10 (4).

Abdelrahman, M. M. (2004). *Civil Society Exposed: The Politics of NGOs in Egypt*. London, UK: Tauris Academic Studies.

Abu-Zeid, E. (2012). *Two Coptic children arrested in Egypt for 'insulting Islam'. Ahram Online.* http://english.ahram.org.eg/NewsPrint/54658.aspx.

Ahram Online. (2013). *Full English Translation of Egypt's New Protest Law.* Retrieved from http://english.ahram.org.eg/News/87375.aspx

Al-Ali, Z., & Romdhane, D. B. (2014, February 16). *Tunisia's new constitution: progress and challenges to come*. Open Democracy. Retrieved from https://www.opendemocracy.net/

Alexander, C. (1997). *Authoritarianism and Civil Society in Tunisia*. Middle East Research and Information Project, 27(205),

Al-Sayyid, M. K. (1993) *A civil Society in Egypt?* Middle East Journal, Vol. 47 (2) pp. 228-242.

*Arab Uprisings: Country by Country- Egypt. (*2014). Retrieved from BBC News website: http://www.bbc.com/news/world-12482291

Bermeo, N., & Nord, P. (2000). *Civil society Before Democracy*. New York, NY: Rowman & Littlefield Publishers, Inc.

Brahmi assassination: Tunisian union stages strike. (2013) BBC News. Retrieved from bbc.co.uk

Carter, A. and Stokes, G. (2002). *Democratic Theory Today*. Malden, MA.: Blackwell Publishers Inc.

Chandhoke, Neera (1995). *State and Civil Society: Explorations in Political Theory*. New Delhi, IN: Sage Publications.

Chappell, B. (2013). *Egyptian Author Sentenced To Prison For Book 'Where Is God?'. National Public Radio*. http://www.npr.org/sections/thetwo-way/2013/06/12/191091018/egyptian-author-sentenced-to-prison-for-book-where-is-god.

Dahl, R. A. (1961). *Who Governs? New Haven, CT*.: Yale University Press

Deane, S. (2013). *Transforming Tunisia: The Role of civil Society in Tunisia's Transition* International Alert, 23.

Diamond, L. J. (1994). *Toward Democratic Consolidation*. Journal of Democracy, 5(3),   4-17. doi:10.1353/jod.1994.0041

Egypt Court Rejects Writer Fatima Naoot's Appeal Against Jail Sentence for 'Contempt of Religion'. (2016). *egyptianstreets.com*. Egyptian Streets. //egyptianstreets.com/2016/03/31/egypt-court-upholds-jail-sentence-against-writer-fatima-naoot-for-contempt-of-religion/.

Egypt dissolves 169 Muslim Brotherhood-affiliated NGOs. (2015) Retrieved from Albawaba website: http://www.albawaba.com/news/egypt-dissolves-169-muslim-brotherhood-affiliated-ngos-660484

Egypt: 3-Year Sentence for Atheist. (2015) *Human Rights Watch.* https://www.hrw.org/news/2015/01/13/egypt-3-year-sentence-atheist.

Egypt: Repeal Laws Used to Convict Author. (2014) *hrw.org*. Human Rights Watch. //www.hrw.org/news/2014/06/04/egypt-repeal-laws-used-convict-author.

Egypt: Repeal Laws Used to Convict Author. (2014) *Human Rights Watch*. https://www.hrw.org/news/2014/06/04/egypt-repeal-laws-used-convict-author.

El-Dabh, B. (2013). *Writer sentenced to five years in prison for insulting religion. Daily News Egypt*. http://www.dailynewsegypt.com/2013/06/13/writer-sentenced-to-five-years-in-prison-for-insulting-religion/.

EGYPT: Two Coptic children released after arrest for insulting Islam. (2012). *Church In Chains*. An Irish Voice for Persecuted Christians. http://www.churchinchains.ie/node/555.

Egyptian court sends TV host Islam Behery to jail for one year over blasphemy. (2015). *Ahram Online*. http://english.ahram.org.eg/NewsContent/1/64/177654/Egypt/Politics-/Egyptian-court-sends-TV-host-Islam-Behery-to-jail-.aspx.

Egyptian MP Proposes Bill to Repeal 'Unconstitutional' Law Criminalizing 'Contempt of Religion'." (2016) "*egyptianstreets.com*. Egyptian Streets , 28 Feb. 2016. Web. 1 Jan. <http://egyptianstreets.com/2016/02/28/egyptian-mp-proposes-bill-to-repeal-unconstitutional-law-criminalizing-contempt-of-religion/.

Egyptian writer Fatima Naoot gets 3-year sentence for insulting Islam. (2015) *The International Business Times*. http://www.ibtimes.co.uk/egyptian-writer-fatima-naoot-gets-3-year-sentence-insulting-islam-1540503.

Final Report on the Tunisian National Constituent Assembly Elections [Report]. (2011). Retrieved from National Democratic Institute website: https://www.ndi.org/files/tunisia-final-election-report-021712_v2.pdf

Fisher, M. (2012). *Tunisian court finds broadcaster guilty in showing God's image. Washington Post* . https://www.washingtonpost.com/world/africa/tunisian-who-showed-persepolis-on-tv-fined-in-free-speech-case/2012/05/03/gIQA0GpzyT_story.html.

Freedom in the World 2015 [Report]. (2015, January). Retrieved from Freedom House website: https://freedomhouse.org/report/freedom-world/freedom-world-2015#.VPPeKvnF-So

Freedom House. (2012). *Tunisia at the Crossroads.* Countries at the Crossroads, 19.

Greenslade, R. (2015) *Egyptian student jailed for proclaiming that he is an atheist. The Guardian.* https://www.theguardian.com/media/greenslade/2015/jan/13/egyptian-student-jailed-for-proclaiming-that-he-is-an-atheist.

H, K. (2016). *Nabil Karoui : Je ne me laisserai pas intimider !. Business News Tunisia* . http://www.businessnews.com.tn/nabil-karoui--je-ne-me-laisserai-pas-intimider,520,65335,3.

Haddon, H. (2015, April 21). *In Sisi's Egypt, Blasphemy Is Still A Crime.* Retrieved from Foreign Policy website: http://foreignpolicy.com/2015/04/21/in-sisis-egypt-blasphemy-is-still-a-crime/

He, B. (2002). *Civil Society and Democracy.* Democratic Theory Today. Malden, MA.: Blackwell Publishers Inc

Hicks, N. (2015, January 2). *The Public Disorder of Blasphemy Laws: A Comparative Perspective.* The Review of Faith and International Affairs, 13(1), 51-58. doi:10.1080/15570274.2015.1005917

Higley, J. (2006). *Elite and Leadership Change in Liberal Democracies*. pp. 13-22. Budapest, HU: Ertek es Valosag

Ibrahim , R. (2016) *Blasphemy Convictions Intensify in Sisi's Egypt*. The Middle East Forum. www.meforum.org/5945/blasphemy-convictions-egypt.

Ilglehart, R. and Welzel, C. (2005). *Modernization, Cultural Change and Democracy*. Cambridge, UK.: Cambridge University Press

Jabeur Mejri, imprisoned for Facebook posts in Tunisia. (2014). *Amnesty International.* https://www.amnesty.org.uk/jabeur-mejri-imprisoned-facebook-posts-tunisia.

Kean, John (1988). *Democracy and Civil Society*. London, UK: Verso.

Kottoor, N. (2014, December 31). *Tunisia's Essebsi: The 88-year-old comeback kid.* BBC News. Retrieved from bbc.co.uk

Law No. 58 01 The Year 1937 Promulgating the Penal Code. (1937, August). Retrieved from University of Minnesota website: http://www1.umn.edu/humanrts/research/Egypt/criminal-code.pdf

Lawton, D. (1993). *Blasphemy*. New York, NY: Harvester-Wheatsheaf.

Lengyel, G. and Ilonszki, G. (2010). *Hungary: Between Consolidated and Simulated Democracy. Democratic Elitism: New Theoretical and Comparative Perspectives.* Leiden, The Netherlands: Hotei Publishing

Linz, J. and Stepan, A. (1996). *Problems of Democratic Transition and Consolidation.* Baltimore, MD.: John's Hopkins University Press.

Marx, K, & Engels, F. (1976). *The German Ideology*. Moscow, RU: Progress Publishers.

McClosky, H. (1964). *Consensus and Ideology in American Politics*. The American Political Science Review, Vol. 58, Issue 2. Pp. 361-382.

MLYNXQUALEY. (2016). *Egyptian Poet Fatima Naoot Gets Three-year Jail Sentence for 'Insulting Islam'. Arabic Literature (in English)*. Wordpress, 26 Jan. 2016. Web. 1 Jan. https://arablit.org/2016/01/26/three-year-jail-sentence-for-insulting-islam/.

Mourad, M. (2015). *Egyptian poet goes on trial accused of contempt of Islam. Reuters*. http://www.reuters.com/article/us-egypt-courts-poet-idUSKBN0L121M20150128.

NGO Law Monitor: Egypt. (2014). Retrieved from International Center for Not-for-Profit Law website: http://www.icnl.org/research/monitor/egypt.html

Parra- Rosales, L. P. (2009). *Democracy Without People?- The Risk of Monopolizing the Democratizing Project*. The Democratization Project: Opportunities and Challenges. New York, NY: Anthem Press

Putz, U. (2013). *Opposition Mobilizes: Politician's Murder Sparks Wave of Protest*. Der Spiegel. Retrieved from www.spiegel.de

Saki , I. (2016) *Egyptian writer Fatima Naoot jailed for insulting Islam*. The Indian Express. http://indianexpress.com/article/lifestyle/books/egyptian-writer-fatima-naoot-jailed-for-insulting-islam/.

Salem, M. (2013). *Blasphemy in New and Old Egypt*. *Middle East Institute.* http://www.mideasti.org/content/blasphemy-new-and-old-egypt.

Study on Civil Society Organizations in Tunisia [Report]. (2013, January). Retrieved from Foundation For the Future

The 2012 Civil Society Organization Sustainability Report. (2012). Retrieved from US Agency for International Development website: http://www.usaid.gov/sites/default/files/documents/1866/2012_MENA_CSOSI.pdf

Timeline: Egypt's revolution. (2011). Retrieved from Al-Jazeera website: http://www.aljazeera.com/news/middleeast/2011/01/201112515334871490.html

Tunisia's Constitution of 2014. (2016). Retrieved from Constitute Project website: https://www.constituteproject.org/constitution/Tunisia_2014.pdf

Two Coptic kids face trial in Egypt over 'insulting Islam'. (2012).https://www.rt.com/news/egypt-coptic-boys-blasphemy-662/.

Two Tunisian men sentenced to seven years in prison for blasphemy.(2012). *Al-Arabiya*. http://english.alarabiya.net/articles/2012/04/05/205716.html.

USAID. (2011). *2011 CSO Sustainability Index: For the Middle East and North Africa*. CSO Sustainability Report, 70.

Walsh , D. (2016) *Egypt's President Turns to Religion to Bolster His Authority*. *The New York Times* . http://www.nytimes.com/2016/01/10/world/middleeast/egypt-abdel-fattah-el-sisi-islam.html?_r=0.

Walter, N. (1990). *Blasphemy: Ancient & Modern*. London, UK: Rationalist Press Association

Wivel, K. (2013). *The Last Supper: The Plight of Christians in Arab Lands*. Denmark : New Vessel Press. Print.